

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA**

Wake Energy, LLC and Wake Operating)
LLC, on behalf of themselves and all others)
similarly situated,)
)
)
Plaintiffs,)
)
vs.) Case No. CIV-21-352-PRW
)
)
Devon Energy Production Company, L.P.,)
)
)
Defendant.)

DECLARATION OF JOHN SHERRER

I, John Sherrer, state as follows:

1. I make this declaration based on my personal knowledge and for use in the above-styled lawsuit. I am over eighteen years of age and am competent to testify about the matters set forth in this declaration.
2. I am the Financial Accounting Manager for Devon Energy Production Company, L.P., (“DEPCO”), the Defendant in this lawsuit, which is a subsidiary of Devon Energy Corporation (“DEC”).
3. In 2021, DEC engaged KPMG LLC (“KPMG”), a public accounting firm, to provide an audit of DEC’s annual financial statements and other information included in DEC’s public filings with the Securities and Exchange Commission, including DEC’s 10-K. DEC also engaged KPMG to provide review procedures related to DEC’s quarterly financial statements and other information included in DEC’s 10-Q public filings with the Securities and Exchange Commission. KPMG also prepared the audit letter included in DEC’s public filings.

4. I am aware that, as a part of the Lawsuit, the Plaintiffs have subpoenaed records from KPMG related to DEPCO's gas production from the Anadarko Basin. I am also aware the Subpoena seeks documents and communications between DEPCO and KPMG for two general categories of information: DEPCO's proceeds from the sales of gas produced from the Anadarko Basin ("Proceeds Data"); and gas production volumes from the Anadarko Basin ("Volume Data").

5. The Proceeds Data represents confidential accounting data provided by DEPCO to KPMG as a part of KPMG's audit of DEC's financial statements.

6. The Volume Data represents internal volume data for DEPCO's production in the Anadarko Basin, including data for wells operated by DEPCO (which I understand are at issue in the Lawsuit) and wells in which DEPCO does not operate but otherwise owns a working interest (which I understand are not at issue in the Lawsuit). The Volume Data is provided by DEC to KPMG to audit and be included in DEC's public filings.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.



John Sherrer
Date: May 12, 2022
Place of Execution: Oklahoma City, OK